

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 4-19 are currently pending in this application. Claims 1-3 have been canceled without prejudice. Claims 4, 5, 7 and 9-12 have been amended. New claims 13-19 have been added. Applicant submits that no new matter has been introduced into the application by these amendments.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claim 12 contains allowable subject matter and that claim 10 would be allowable if not dependant on a rejected base claim. Claim 10 has been amended in accordance with the examiner's suggestion.

Claim Objections

The Examiner objected to claim 10 as being dependent upon a rejected base claim. Claim 10 has been amended to include all of the limitations of the base claim and any intervening claims. The withdrawal of the objection to claim 10 is respectfully requested.

Claim Rejections - 35 USC § 112

Claims 1-11 are rejected under *35 U.S.C. § 112* as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-3 are canceled. Claims 4-9 and 11 depend from independent claim 12, which the Examiner indicates contains allowable subject matter. Claims 4-9 and 11 are therefore, allowable at least by virtue of their dependence from independent claim 12. Claim 10 has been rewritten in independent form, as suggested by the examiner. Therefore, independent Claim 10 is patentable and the withdrawal of the *35 USC § 112* rejection of claims 1-11 is respectfully requested.

Claim Rejections – 35 USC § 103

Claims 1, 4, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,442,195 to Liu et al. (hereinafter “Liu”) in view of U.S. Patent 5,550,872 to Liberti et al. (hereinafter “Liberti”).

Claim 1 has been canceled and claims 4, 9 and 11 now depend from independent claim 12. At least in view of their dependence on independent claim 12, claims 4, 9 and 11 are patentable.

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of Liberti and in further view of U.S. Publication No. 2002/0027958 to

Kolaneck (hereinafter “Kolaneck”). At least in view of their dependence on independent claim 12, claims 5 and 6 are patentable

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of Liberti and in further view of US Publication 2001/0036152 to Butash (hereinafter “Butash”). At least in view of their dependence on independent claim 12, claims 7 and 8 are patentable

Based on the arguments presented above, withdrawal of the 35 USC § 103 rejection of claims 1-9 and 11 is respectfully requested.

Applicant: Martin S. Wilcox
Application No.: 10/518,272

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the present application, including claims 4-19, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Martin S. Wilcox

By /Thomas A. Mattioli/
Thomas A. Mattioli
Registration No. 56,773

Volpe and Koenig, P.C.
United Plaza
30 South 17th Street
Philadelphia, PA 19103-4009
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

TAM/MDD/kmc
Enclosure